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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,759	04/14/2004	Kuo-Rong Chen	OP-093000122	5064
7590	09/26/2006		EXAMINER	
Yi-Wen Tseng 4331 Stevens Battle Lane Fairfax, VA 22033			SANEI, HANA ASMAT	
			ART UNIT	PAPER NUMBER
			2879	
DATE MAILED: 09/26/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Amendment

The Amendment, filed on 9/02/06, has been entered and acknowledged by the Examiner.

Cancellation of claims 6-10 has been entered.

Claims 1-5,11-18 are pending in the instant application.

Claims 11-17 have been withdrawn.

The finality of the previous outstanding action, filed on 7/28/06, has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomii et al (US 5160871).

Regarding Claim 1, Tomii teaches a first conductive layer (215, focusing electrode, see at least Fig. 7) to serve as a converging electrode layer having a proximal surface facing the anode units (216) and a distal surface opposing to the proximal surface, the first conductive layer comprising a plurality of first apertures (219) extending therethrough, a glass plate formed (231, 232, glass, Col. 8, lines 60-64, Fig. 9) on the proximal surface of the first conductive layer and including a plurality of

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second apertures (partitioning of 231, 232, see Fig. 9), an insulation layer (231') formed on the distal surface of the first conductive layer, a second conductive layer (213, gate electrode) formed on the insulation layer to serve as a gate electrode layer, the second conductive layer having a proximal surface facing the cathode units (212) and a distal surface opposing the proximal surface, wherein the second conductive layer includes a plurality of third apertures (218) extending therethrough and aligned with the first and second apertures, wherein a plurality of isolation slits (strips of 213) extend across the second conductive layer so that a pair of conductive strips are formed at two elongated sides of each third aperture, each pair of the conductive strips constructs an independent conductive paths to be biased with a potential and a gate operative to drain electrons from the cathode unit between the pair of conductive strips is formed (see at least Fig. 7).

Regarding Claim 2, Tomii teaches that each second aperture (partitioning of 231, 232, see Fig. 9) is aligned with one corresponding first aperture (219).

Regarding Claim 3, Tomii teaches that each second aperture covers an opening range of a row or column of the first aperture (refer to Fig. 9)

Regarding Claim 4, Tomii teaches that each third aperture (218) is aligned with one corresponding first aperture (219).

Regarding Claim 5, Tomii teaches that each third aperture (218) covers an opening range of a row or column of the first aperture (refer to Fig. 9).

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Regarding Claim 18, Tomii teaches that each first aperture (219, refer to Fig. 9) is aligned with a corresponding anode unit (216 M) with a phosphor layer (216P, R-G-B) and a cathode unit (211) with an emission layer (212).

Response to Arguments

The examiner notes that the indication of allowable subject matter for claims 1-5, 18 is withdrawn in view of a newly discovered prior art.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hana A. Sanei whose telephone number is (571) 272-8654. The examiner can normally be reached on Monday- Friday, 9 am - 5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hana A. Sanei
Examiner



Joseph Williams
Primary Examiner